No. 14

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RECEIVED FOR ENTRY
10:00 A.M.
Nov. 21, 1952
L. B. Ormes, Clerk
By: Guy W. Cooper, D.C.

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

November 19, 1952

Civil No. 286

UNITED STATES OF AMERICA

vs.

FIVE GAMBLING DEVICES, labeled in part, "Mills", and bearing Serial numbers 593221; 578827; 583708, 578831, and 581162

Order

This cause came on to be heard upon the libel of information filed by the United States of America, and the intervening petition of the Graymere Country Club; and it appearing to the Court that it is agreed that the facts set forth in the libel and the intervening petition are true and correct, the Court after hearing argument, was of the opinion that Section 1173, Title 15, United States Code, as applied in this cause, is unconstitutional.

It is therefore ORDERED and ADJUDGED that the libel be and hereby is dismissed and that the gambling devices seized be returned, to petitioner Graymere Country Club.

It further appearing to the Court that the gambling device labeled in part "Mills", and bearing Serial No. 581162, was not seized by the United States.

It is hereby ORDERED and ADJUDGED that the libel be amended by striking the gambling device not seized from the caption and body thereof.

ENTER:

/s/ ELMER D. DAVIES
United States District Judge

O.K.

/s/ DICK L. JOHNSON
United States Attorney

/s/ HORACE FRIERSON
Attorney for Intervening Petitioner

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L. B. ORMES, *Clerk*
By *R. D. Hall, D. C.*

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

Civil No. 286

UNITED STATES OF AMERICA

vs.

FIVE GAMBLING DEVICES, labeled in part, "Mills" and bearing serial numbers 593221; 578827; 583708; 578831; and 581162

In the above styled cause, it is ordered that the order entered herein on November 21, 1953, be amended by adding at the end of the first paragraph thereof, the following words:

"in so far as it applies to purely intrastate matters."

This 22nd day of December, 1952.

/s/ ELMER D. DAVIES
United States District Judge

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